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To: U.S. Patent and Trademark Office
Art Unit 2663
Attn: Examiner R. Ngo
Fax. No.: 703-872-9306
From: John C. Gorecki
Date: April 5, 2005

Number of pages including this cover sheet: 9

Re:

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| Applicant: | Merrill, et al. | Examiner: | R. Ngo |
| Serial No.: | 10/812,581 | Art Unit: | 2663 |
| Filed: | March 30, 2004 | Attorney Docket No.: | 16628SSUS02U |
| Title: | METHOD AND APPARATUS FOR CONTRACTING FOR DEDICATED OPTICAL NETWORK RESOURCES ON DEMAND | | |

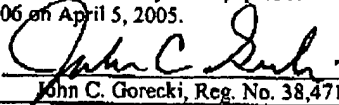
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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 P.O. Box 1450
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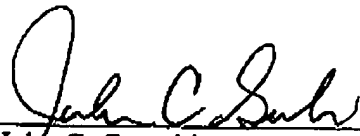
TRANSMITTAL LETTER

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated and is transmitted as shown below:

| | Number of Claims Remaining After Amendment | Highest Number of Claims previously paid for | Number of Extra Claims Present | Rate | Additional Fee |
|---|--|--|-----------------------------------|------------|----------------|
| Total Claims | 12 | 20 | 0 | x \$50.00 | \$0 |
| Independent Claims | 2 | 3 | 0 | x \$200.00 | \$0 |
| Multiple Dependent Claims (check if applicable) | | | | | \$0 |
| TOTAL ADDITIONAL FEES FOR THIS AMENDMENT | | | | | \$0.00 |

No fees are believed due in connection with this filing. If any additional fees are due, the Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 502246 (Ref. NN-16442). A duplicate copy of this sheet is enclosed.

Respectfully Submitted

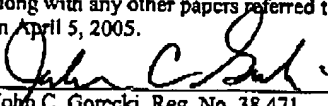

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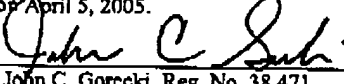

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PRELIMINARY AMENDMENT

Dear Sir:

Prior to examination, please amend this application as follows:

AMENDMENTS TO THE SPECIFICATION begin on page 2 of this paper.**AMENDMENTS TO THE CLAIMS** are reflected in the listing of the claims, which begin on page 3 of this paper.**REMARKS/ARGUMENTS** begin on page 6 of this paper.